

BEFORE THE TENNESSEE REGULATORY AUTHORITY

Nashville, Tennessee

April 4, 2002

In Re:

PETITION OF TENNESSEE UNE-P COALITION
TO OPEN A CONTESTED CASE PROCEEDING
TO DECLARE UNBUNDLED SWITCHING AN
UNRESTRICTED UNBUNDLED NETWORK
ELEMENT

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) Docket No. 02-00207
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ORDER GRANTING THE PETITION TO INTERVENE OF
THE ASSOCIATION OF COMMUNICATIONS ENTERPRISES

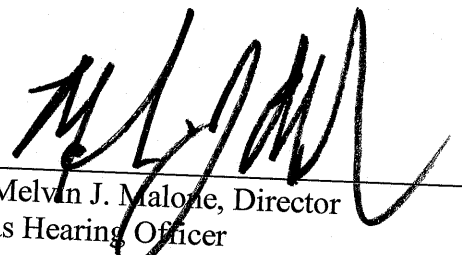
This matter is before the Tennessee Regulatory Authority ("Authority") on the *Petition to Intervene of the Association of Communications Enterprises* ("Petition to Intervene"), filed on March 1, 2002. *BellSouth Telecommunications, Inc.'s Objection to the Intervention of ASCENT* was submitted on March 8, 2002.

In its response, BellSouth objects to the *Petition to Intervene* for the Association of Communications Enterprises' ("ASCENT") failure to satisfy Tenn. Code Ann. § 4-5-310(a) and Authority Rule 1220-1-2-.08(2). Specifically, BellSouth contends that the *Petition to Intervene* does not, as is required, state particular facts demonstrating ASCENT's legal interest in this proceeding. In the *Response of the Association of Communications Enterprises to BellSouth Telecommunications, Inc.'s Objection to Intervention of ASCENT*, filed on March 12, 2002, ASCENT maintains that there is no credible dispute with respect to its "legal nexus" in this proceeding.

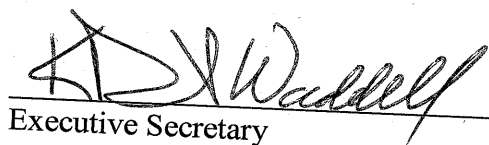
After carefully considering the arguments of the parties and the requirements of Tenn. Code Ann. § 4-5-310(a) and Authority Rule 1220-1-2-.08(2), the Hearing Officer finds that ASCENT has demonstrated a sufficient legal interest in this proceeding, that the interests of justice and the orderly and prompt conduct of the proceedings will not be impaired by allowing the intervention, and that the intervention is in the interest of justice. Hence, the *Petition to Intervene* should be granted for the limited purposes of monitoring the proceeding and submitting comments or briefs, as requested.

IT IS THEREFORE ORDERED:

1. That ASCENT is hereby given leave to intervene and participate in this proceeding as set forth herein and receive copies of any notices, orders or other documents in this proceeding.
2. That any party aggrieved by the Authority's decision in this matter may file a Petition for Reconsideration with the Authority within fifteen (15) days from and after the date of this Order.


Melvin J. Malone, Director
as Hearing Officer

ATTEST:


Executive Secretary